

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD**

CONFIDENT CARE CORP.

Employer

and

Case 22-RC-081077

LOCAL 338, RETAIL, WHOLESALE &
DEPARTMENT STORE UNION, UNITED
FOOD AND COMMERCIAL WORKERS

Petitioner

DECISION AND CERTIFICATION OF RESULTS OF ELECTION

On October 12, 2012, Hearing Officer Frank W. Flores of the National Labor Relations Board issued his Report on Objections, in which he recommended overruling the Petitioner's Objection No. 1 to the election held in this proceeding and the issuance of a Certification of Results of Election.

The election, which was held on June 29, 2012, was conducted pursuant to a Stipulated Election Agreement. The tally of ballots shows 61 ballots cast for, and 82 ballots cast against, the Petitioner, with 2 challenged ballots, an insufficient number to affect the results.

The Employer filed timely exceptions to the Hearing Officer's Report on Objections. On November 2, 2012, the Employer withdrew its Exceptions to the

Hearing Officer's Report. The Employer's withdrawal of its Exceptions is hereby approved.

Accordingly, as there are no exceptions pending before the Board and the time allowed for such filing having expired, the Board adopts the Hearing Officer's findings and recommendation.

CERTIFICATION OF RESULTS OF ELECTION

IT IS CERTIFIED that a majority of the valid ballots have not been cast for Local 338, Retail, Wholesale & Department Store Union, United Food and Commercial Workers, and it is not the exclusive collective-bargaining representative of these bargaining unit employees.

Dated, Washington, D.C., November 2, 2012.

By direction of the Board:

/s/Henry S. Breiteneicher

Associate Executive Secretary